

DEPARTMENT OF TRANSPORTATION

DISTRICT 11, P.O. BOX 85406, MS-30 SAN DIEGO, 92186-5406
(619) 688-6424 TDD Number
(619) 688-6778



RECEIVED

AUG 10 2001

**ENGINEERING
DEPARTMENT**

August 9, 2001

Mr. Steven Jantz
Department of Public Works
City of Carlsbad
1635 Faraday Avenue
Carlsbad, CA 92008-7314

Dear Mr. Jantz:

Enclosed is a copy of the approved Categorical Exclusion Form and the approved PES Form for your Coastal Rail Trail Project. These forms are for your records and do not require any action on your part.

If you have any questions, please call Don Pope, Program Coordinator, at (619) 688-6790.

Sincerely,

A handwritten signature in cursive script that reads 'Donald L. Pope'.

for: GARY L. VETTESE
District Local Assistance Engineer

Enclosures

**CATEGORICAL EXEMPTION
CATEGORICAL EXCLUSION/PROGRAMMATIC CATEGORICAL EXCLUSION
DETERMINATION FORM**

11-SD-0-CBD

N/A

N/A

CML 5308

Dist-Co-Rte (or Local Agency)

K.P./K.P.(P.M/P.M.)

E.A. (State project)

Proj. No. (Local project)
(Fed.Prog. Prefix
Proj. No., Agr. No.)

PROJECT DESCRIPTION: (Briefly describe project, purpose, location, limits, right-of-way requirements, and activities involved.)
From the San Luis Rey River Bicycle Path in the city of Oceanside through the cities of Carlsbad, Encinitas, Solana Beach and Del Mar, in San Diego County; construct a multi-purpose path within San Diego Northern Railway and local city streets rights of way. Path will be either a Class I bike path or Class II bike lanes depending on specific location along the route.

CEQA COMPLIANCE (for State Projects only)

Based on an examination of this proposal, supporting information, and the following statements (See 14 CCR 15300 et seq.):

- If this project falls within exempt class 3, 4, 5, 6 or 11, it does not impact an environmental resource of hazardous or critical concern where designated, precisely mapped and officially adopted pursuant to law.
- There will not be a significant cumulative effect by this project and successive projects of the same type in the same place, over time.
- There is not a reasonable possibility that the project will have a significant effect on the environment due to unusual circumstances.
- This project does not damage a scenic resource within an officially designated state scenic highway.
- This project is not located on a site included on any list compiled pursuant to Govt. Code § 65962.5 ("Cortese List").
- This project does not cause a substantial adverse change in the significance of a historical resource.

CALTRANS CEQA DETERMINATION

☐ Exempt by Statute (PRC 21080)

Based on an examination of this proposal, supporting information, and the above statements, the project is:

☐ Categorically Exempt Class _____, or ☐ General Rule exemption (This project does not fall within an exempt class, but it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment [CCR 15061(b)(3)])

Signature: Environmental Office Chief

Date

Signature: Project Manager

Date

NEPA COMPLIANCE (23 CFR 771.117)

Based on an examination of this proposal, supporting information, and the following statements.

- This project does not have a significant impact on the environment as defined by the NEPA.
- This project does not involve substantial controversy on environmental grounds.
- This project does not involve significant impacts on properties protected by Section 4(f) of the DOT Act or Section 106 of the National Historic Preservation Act.
- In non-attainment or maintenance areas for Federal air quality standards: this project comes from a currently conforming plan and Transportation Improvement Program or is exempt from regional conformity.
- This project is consistent with all Federal, State, & local laws, requirements or administrative determinations relating to the environmental aspects of this action.

CALTRANS NEPA DETERMINATION

Based on an examination of this proposal, supporting information, and the statements above under "NEPA Compliance", it is determined that the project is a:

☐ PROGRAMMATIC CATEGORICAL EXCLUSION (PCE): Based on the evaluation of this project and supporting documentation in the project files, all the conditions of the September 7, 1990 Programmatic Categorical Exclusion have been met.

☒ CATEGORICAL EXCLUSION (CE): For actions that do not individually or cumulatively have a significant environmental effect and are excluded from the requirement to prepare an Environmental Assessment (EA) or Environmental Impact Statement (EIS). Require FHWA Determination.

Signature: Environmental Office Chief

Date

Signature: Project Manager/DLA Engineer

Date

FHWA DETERMINATION

Based on the evaluation of this project and the statements above, it is determined that the project meets the criteria of and is properly classified as a Categorical Exclusion (CE).

Signature: FHWA Transportation Engineer

Date

- ☒ Additional information attached or referenced, as appropriate (e.g. Mitigation commitments for NEPA only; Air Quality studies or documentation of exemption from regional conformity or use of CO Protocol; §106 commitments; §4(f) or Programmatic §4(f); date of COE nationwide permit; § 7 species survey results; Wetlands Finding; Floodplain Finding; additional studies; design conditions). Rev. 4/2001

Preliminary Environmental Studies (PES) Form

Agency: 11-SD-0-CBD City of Carlsbad
 Project Number: CML 5308
 Project Location: Along the railway extending through the cities of Oceanside, Carlsbad, Encinitas, Solana Beach, and Del Mar.

Project Description: The 24-mile Coastal Rail Trail bikeway consists of eighteen (18) miles of a twelve (12) foot wide multi-use Class I paved path within the SDNR railway right-of-way, five (5) miles of five (5) foot wide Class II bike lanes, and one (1) mile of Class III bike routes within existing roadway. The project is located along existing public roadways on either Class II bicycle lanes or as Class III bicycle routes. The project was the focus of a Project Study Report (PSR) completed in February 1999 and updated in October 2000 for a multi-use pathway from Oceanside to San Diego. The environmental document is only for the section from Oceanside to Del Mar even though the PSR addresses the Coastal Rail Trail from Oceanside to San Diego

EXAMINE FOR POTENTIAL EFFECTS ON THE ENVIRONMENT, DIRECT, OR INDIRECT, AND
ANSWER THE FOLLOWING QUESTIONS

	<u>Yes</u>	<u>To Be Determined</u>	<u>No</u>
A. The Physical Environment			
1. Is the project a Type I project as defined in 23 CFR 772.5(h) Construction on a new location or the physical alteration of an existing highway which significantly changes either the horizontal or vertical alignment or increases the number of through-traffic lanes."			X
2. Are there water resources (rivers, streams, bays, inlets, lakes, drainage sloughs) within or immediately adjacent to the project area?	X		
3. Is project within a designated sole-source aquifer?			X
4. Is the project within the State Coastal Zone/	X		
5. Is the construction area located within a regulatory floodway or within the base floodplain (200-year) elevation of a water course or lake?			X
6. Is the project within or immediately adjacent to a Wild and Scenic River System?			X
7. Is there a potential for a federally-listed, threatened, or endangered species (including candidate species) or their critical or sensitive habitat within the construction area?		X	
8. Is there a potential for wetlands within the construction area?			X
9. Is there a potential for agriculture wetlands within the construction area?			X
10. Air Quality			
a. Is the project included in a currently conforming regional transportation plan (RTP) and transportation improvement program (TIP) and that there have been no substantial changes in the design concept and scope as used in the TIP?		X	
b. Is the project exempt from the requirement to determine conformity? 940 CFR 93.126)		X	
11. Is the project in a non-attainment or maintenance area? (National Air Quality Standards).		X	

	<u>Yes</u>	<u>To Be Determined</u>	<u>No</u>
12. Is there a potential for prime or unique farmlands within or immediately adjacent to the construction area?			X
13. Is there a potential for hazardous materials (including underground tanks) or hazardous material remains within or immediately adjacent to the construction area?			X
14. Are there any publicly-owned public parks, recreation areas, or wildlife or waterfowl refugees (Section 4(f)) within construction area?	X		
15. Are there any aesthetically visual resources within the project area?	X		
B. The Social and Economic Environment			
16. Will the project require any right of way, including partial or full takes? Consider construction easements and utility relocations.			X
17. Is the project inconsistent with plans and goals adopted by the community?			X
18. Will the project result in the need for public services, including utilities other than those presently available or proposed?			X
19. Will the project involve changes in access control?			X
20. Will the project involve the use of a temporary road, detour or ramp closure?			X
21. Will the project reduce available parking?			X
22. Will the project require future construction to fully utilize the design capabilities included in the proposed project?			X
23. Will the project generate public controversy based on environmental effects?			X
24. Will the project encroach on State or Federal Lands?			X
25. Are there National Register listed or potentially eligible historic properties [Section 106, Section 4(f)] within the construction area?		X	

DATA AS REQUIRED TO SUPPORT THE CONCLUSIONS OF THIS CHECK LIST SHOULD BE ATTACHED
OR AVAILABLE FROM THE LOCAL AGENCY UPON REQUEST
(check to indicate Required Studies, Coordination, Permits or Approvals)

C.	REQUIRED TECHNICAL STUDIES	D. COORDINATION	E. PERMIT/ APPROVAL:
<input type="checkbox"/>	NOISE STUDY ___ Traffic related Construction Related	___ FHWA	
<input type="checkbox"/>	WATER QUALITY* ___ Discharge Dredged/Fill Material (US waters) ___ Construction in Navigable Waters ___ Construction of Bridges/Causeways Across Navigable Waters ___ Construction of Bridge ___ Drainage ___ Stream or Lake Alteration	<u>X</u> FHWA ___ U.S. Army Corp of Engineers <u>X</u> U. S. Army Corp of Engineers ___ U. S. Coast Guard ___ California Regional Water Quality Control Board <u>X</u> California Department of Fish & Game	___ Section 404 Permit ___ Section 10 Permit ___ Approves Plans ___ Water Quality Certification ___ Section 1601/03 Permit
<input type="checkbox"/>	SOLE SOURCE AQUIFER	___ ___ EPA (S.F. Regional Office)	___ Contamination Threat
<input checked="" type="checkbox"/>	COASTAL ZONE	___ State Coastal Zone management Agency (California Coastal Commission) (CCC)	<u>X</u> Coastal Zone Consistency
<input type="checkbox"/>	FLOOD PLAIN STUDY*	___ Federal Emergency Management Agency ___ FHWA	Floodplain Finding
<input type="checkbox"/>	WILD & SCENIC RIVERS	___ U. S. Department of Interior ___ Heritage Conservation/Recreation Service	
<input checked="" type="checkbox"/>	BIOLOGY STUDY *	<u>X</u> FHWA <u>X</u> California Department of Fish & Game	___ Sec. 7 Biological Opinion ___ Incidental Take Permit
<input checked="" type="checkbox"/>	WETLANDS STUDY * Agricultural Wetlands	<u>X</u> FHWA <u>X</u> U. S. Fish & Wildlife <u>X</u> U. S. Army Corp of Engineers ___ National Marine Fisheries Service ___ Natural Resources Conservation Service	___ Verifies juris. wetlands ___ Verifies agri. wetlands
<input type="checkbox"/>	AIR QUALITY STUDY *	___ FHWA	___ Conformity Finding
<input type="checkbox"/>	FARMLANDS STUDY	___ Natural Resources Conservation Services ___ U.S. Army Corps of Engineers	___ Verifies prime/unique ___ Approves Conversions

* FHWA has responsibility for consultation under regulation or interagency agreement or
FHWA has responsibility for a finding or determination required by law regulation or Executive Order.

C.	REQUIRED TECHNICAL STUDIES	D. COORDINATION	E. PERMIT/ APPROVAL:
<input type="checkbox"/>	HAZARDOUS WASTE STUDY (Cleanup of Hazardous Waste Sites)	<input type="checkbox"/> 1. CALIF. EPA: Department of Toxic Substances Control, Biennial Reports, Lists of Active Annual Workplan Sites <input type="checkbox"/> 2. CALIF. OPR: Hazardous Wastes & Substances Sites List, List of Contaminated Sites <input type="checkbox"/> 3. LOCAL: Health * Human Services Dept., Hazardous Waste Operations Division	
<input type="checkbox"/>	SECTION 4(f) EVALUATION *	<input type="checkbox"/> FHWA <input type="checkbox"/> Public Official w/Jurisdictional Responsibility	<input type="checkbox"/> Makes Determination
<input type="checkbox"/>	SECTION 6(f) EVALUATION	<input type="checkbox"/> Park Official <input type="checkbox"/> DOI	
<input type="checkbox"/>	VISUAL IMPACTS STUDY (AESTHETICS)	<input type="checkbox"/> FHWA	
<input type="checkbox"/>	RELOCATION IMPACTS STUDY	<input type="checkbox"/> State & Local Planning Departments	
<input type="checkbox"/>	SOCIO-ECONOMIC EVALUATION	<input type="checkbox"/> Airports, Schools, State and Local Planning Departments	
<input type="checkbox"/>	TRAFFIC	<input type="checkbox"/> FHWA	
<input checked="" type="checkbox"/>	SECTION 106/HISTORIC PRESERVATION <input checked="" type="checkbox"/> APE Map <input checked="" type="checkbox"/> Archaeological Field Survey <input checked="" type="checkbox"/> National Register Records Search <input type="checkbox"/> Historic Architectural Evaluation (including bridges) <input checked="" type="checkbox"/> Historic Property Survey Report (HPSR)	<input checked="" type="checkbox"/> Caltrans <input checked="" type="checkbox"/> FHWA <input checked="" type="checkbox"/> SHPO/ACHP (as appropriate) <input type="checkbox"/> Local preservation groups and/or Native American Tribes <input checked="" type="checkbox"/> FHWA	<input type="checkbox"/> Determine applicability of minimal APE <input checked="" type="checkbox"/> Approves APE <input checked="" type="checkbox"/> Concurs or Consults with SHPO/ACHP
<input type="checkbox"/>	CONSTRUCTION/ENCROACH ON STATE LANDS <input type="checkbox"/> Under State Lands Commission Jurisdiction <input type="checkbox"/> Under Caltrans Jurisdiction	<input type="checkbox"/> State Lands Commission <input type="checkbox"/> Caltrans	<input type="checkbox"/> General Permit/Revise General Plans <input type="checkbox"/> Encroachment Permit
<input type="checkbox"/>	CONSTRUCTION/ENCROACHMENT ON FEDERAL LANDS Additional studies may be required for other Federal Agencies	<input type="checkbox"/> U. S. Bureau of Reclamation <input type="checkbox"/> Private Land Owner	<input type="checkbox"/> Encroachment Permit <input type="checkbox"/> Right of Entry Permit

* FHWA has responsibility for consultation under regulation or interagency agreement or FHWA has responsibility for a finding or determination required by law regulation or Executive Order.

F. Public Hearing and Public Availability

A 90 day public review period was held for the CEQA document from 12/1/00 - 2/28/01. A public hearing was held at the City of Carlsbad, City Council in March 2001.

☐ No Required
☐ Notices of Availability
☒ Environmental Document ONLY

☐ Opportunity for a Public Hearing
☒ Public Hearing Required (for adoption of the PSR and CEQA MND.)

G. Preliminary Environmental Document Classification (NEPA)

Based on the evaluation of the project, the environmental document to be developed should be:

☐ Environmental Impact Statement
☐ Environmental Assessment
☒ Categorical Exclusion with Special Studies noted in "C" Section of form
☐ Programmatic Categorical Exclusion

Prepared by: Steven Sartz Date: 6/28/01 Telephone # (760) 602-2738

This document was prepared under my supervision, in accordance with the Local Assistance procedure Manual, Exhibit 6-B, "Instructions for completing the preliminary Environmental Study Form."

Signature local agency: [Signature] Date: 6/28/01 Telephone # (760) 602-2738

I have reviewed this Preliminary Environmental Study (PES) form and determined that the submittal is complete and sufficient. I concur with the studies to be performed and the recommended level of environmental document.

Signature DLAE: Day 2 Vetter Date: 7/11/01

THE FOLLOWING SIGNATURES ARE REQUIRED FOR EAs, EISs, and REGULAR Ces ONLY

Signature District Environmental: [Signature] Date: 7/12/01 Telephone # 619.688.3273

FHWA REVIEW of PES RECOMMENDED YES ☒ NO ☐

THE FOLLOWING SIGNATURE REQUIRED FOR EAs, EISs, AND (WHEN REQUESTED), FOR CES

H. I concur with the studies to be performed and the recommended level of environmental document

Signature FHWA: Jeffery J. Lewis Date: 8/01/01

Distribution:

Original: District Local Assistance Engineer

Copy: Local Agency Project Files